

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24929 of 2024

Arising Out of PS. Case No.-263 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Samastipur

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Ramesh Kumar @ Ramesh Sah S/O Ram Nath Sah R/O Village- Jogiamath
(aadharpur), Ward No. 3, P.S- Muffasil, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anirudh Kumar Sinha
For the Opposite Party/s : Mr. Mritunjay Kumar Nirala

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 04-04-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.
2. The petitioner apprehends his arrest in a case
registered for the offence punishable under Section 30(a) of
Bihar Prohibition and Excise Act.
3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case and allegation is of
recovery of 80.370 litres of liquor from a place behind the
Sudha Milk Booth. It is next submitted that petitioner was not
arrested from the spot as such nothing was recovered from his
conscious possession and even alleged recovery is from a place,
which does not belong to the petitioner and he came to be
implicated at the instance of local people but then submits that



the police in mechanical manner implicates either at the instance of local person or chowkidar but then it absolutely does not stand to reason that if anyone was aware of the involvement of the petitioner in the occurrence then why he or she did not inform the police, prior to institution of the instant F.I.R, which casts an aspersion on the case of the prosecution.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.5000/- (Rupees five thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Excise P.S. Case No.263/2020, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. It is made clear that the learned trial court before accepting the bail bonds of the petitioner shall verify the criminal antecedents of the petitioner and in the event if it is found that petitioner has antecedent of more than one case, in



that event, the present anticipatory bail order shall not be given
effect to.

(Satyavrat Verma, J)

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